

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,)
Plaintiff,) CASE NO. MJ08-238
v.)
WAEL KAMAL ELDIN,) DETENTION ORDER
Defendant.)

Offenses charged in the District of Massachusetts:

False Statement in Application for Passport

Date of Detention Hearing: May 22, 2008

The Court conducted both an uncontested detention hearing pursuant to Title 18 U.S.C.

§ 3142(f) and a preliminary Rule 5(c)(3) inquiry. The defendant waived his rights to a full Rule

5(c)(3)(D) hearing and the Court signed an order of transfer to the originating district court of the

District of Massachusetts to answer the charges.

The detention hearing was uncontested, and the defendant may re-open the matter of detention in the District of Massachusetts. The Court finds that, based upon the factual findings and statement of reasons for detention hereafter set forth, no condition or combination of conditions which the defendant can meet will reasonably assure the appearance of the defendant as required and the safety of any other person and the community.

The Government was represented by Aravind Swaminathan. The defendant was

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1 represented by Peter Avenia..

2 **FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION**

- 3 (1) There is a serious risk that defendant will flee because he is a resident of London,
4 England.
5 (2) There is also a serious risk that defendant will flee because he has been avoiding
6 arrest on the instant charge for several years.

7 Thus, there is no condition or combination of conditions that would reasonably assure future
8 court appearances.

9 **It is therefore ORDERED:**

- 10 (1) Defendant shall be detained pending trial and committed to the custody of the
11 Attorney General for confinement in a correctional facility separate, to the extent
12 practicable, from persons awaiting or serving sentences, or being held in custody
13 pending appeal;
14 (2) Defendant shall be afforded reasonable opportunity for private consultation with
15 counsel;
16 (3) On order of a court of the United States or on request of an attorney for the
17 Government, the person in charge of the correctional facility in which Defendant
18 is confined shall deliver the defendant to a United States Marshal for the purpose
19 of an appearance in connection with a court proceeding; and
20 (4) The clerk shall direct copies of this order to counsel for the United States, to
21 counsel for the defendant, to the United States Marshal, and to the United States
22 Pretrial Services Officer.

23 DATED this 22nd day of May, 2008.

24 _____ /s/Dean Brett _____
25 DEAN BRETT
26 United States Magistrate Judge